

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES,		:	
	Plaintiff,	:	17 Crim. 610-12 (LGS)
		:	
-against-		:	<u>ORDER</u>
		:	
WILLIAM RAY,		:	
	Defendant.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, Defendant pleaded guilty to using and carrying a firearm in furtherance of a narcotics conspiracy, pursuant to a plea agreement dated June 29, 2018. On November 15, 2018, Defendant was sentenced to a mandatory minimum of 60 months' incarceration followed by 3 years of supervised release.

WHEREAS, on July 30, 2020, Defendant filed a letter seeking compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A), noting the risks of COVID-19 at the facility where he was then housed, FCI Williamsburg. The Court denied Defendant's request for compassionate release, noting (1) he was 29 years old and in good health, without any medical conditions that put him at increased risk from COVID 19 and (2) there were no current COVID-19 cases at FCI Williamsburg.

WHEREAS, on February 8, 2021, Defendant submitted a second motion seeking compassionate release due to the presence of COVID-19 at FTC Oklahoma City, the facility where was then housed. The Government submitted a letter in opposition on February 19, 2021, along with Defendant's updated Bureau of Prisons medical records. The Court denied that request, again noting Defendant's lack of COVID-19 risk factors and the availability of medical care.

WHEREAS, Defendant submitted the attached reply letter stating that he has been

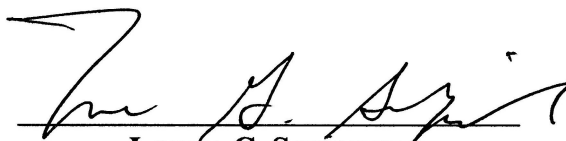
transferred to a new facility, FMC Rochester, tested positive for COVID-19 as of March 5, 2021, and suffered various symptoms associated with COVID-19. The Court did not grant leave to file a reply. Because Defendant alleges changed circumstances, the Court construes his letter as a new motion for compassionate release based on conditions at FMC Rochester. It is hereby

ORDERED that by April 2, 2021, the Government shall file a response and forward Defendant's updated Bureau of Prisons medical records to the Chambers email account.

Defendant is not granted leave to file a reply to the Government's response.

The Clerk of Court is respectfully directed to mail a copy of this Order to *pro se* Defendant.

Dated: March 25, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

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The Honorable Lorna A. Schafeld
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States V. William Ray 17 Cr. 610 (LGS)

Dear Judge Schafeld:

I respectfully write in response to the Government's opposition to my renewed motion for Compassionate release.

As an initial matter, my motion should be granted for the reasons previously stated in my prior motion. Despite the Government's claim that I am young, healthy, and have no condition that puts me at greater risk of severe risk of Covid-19. Unfortunately, those words now prove to be false. and as a result I have contracted Covid-19. I contracted Covid February 23rd, 2021 and was transported from FIC Oklahoma City to FMC Rochester. Where upon arrival I was given a rapid test and was later notified that I was positive. Due to my initial intake where I had a temperature of 100.4, I was put on a "watch list" with 3 other inmates. As a result of my positive status.

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I have been put in isolation to recover. As a result of Contracting Covid-19, I lost my sense of smell, taste, Was fatigued, and now suffer shortness of breath.

As to my Current Facility, FMC Rochester has 4 Active Cases including myself. 433 inmates have tested positive altogether, which is well over 80% of the inmate population. I am Currently being placed for 180-270 days of RRC placement due to my extended stay in FTC of Oklahoma City & USP Atlanta. I am eligible for 12 months of home Confinement under the Second Chance Act. Which would put me at home if granted by your honor for Compassionate release. I have done over 75% of my Statutory time.

Finally, my updated medical records will show my Positive status with my Symptoms. I have been requesting that the sickle cell trait information be removed since my initial medical screening in M.C.C NY in Oct of 2017. I made a Comment while being housed in the SHU pending bed space and it followed me for 4 years it was not an intentional lie. However it seems to have played a major factor in recent events. If your honor sees fit to grant my release, I will self quarantine

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At my release address and work to provide my family with a good life while striving to return to being a productive law abiding Citizen.

For these reasons, I respectfully submit that my motion for a modification of sentence pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) should be granted.

Respectfully Submitted
William Ray
#79620-054

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